



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:** Paul H. Burmeister, Charles L. Euteneuer,  
Brian J. Brown, Paul J. Fordenbacher,  
Anthony C. Vrba

**Application No:** 08/737,492

**Filing Date:** November 18, 1996

**For:** IMPROVED TISSUE SUPPORTING  
DEVICES

TC 3700 MAIL ROOM

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Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Docket No.: S63.2-6252

**RESPONSE TO FINAL OFFICE ACTION**

The Final Official Action mailed May 13, 1999 has rejected claim 21 under 35 U.S.C. 135(b) as not being substantially the same subject matter as an original claim in the application prior to one year from the date of Freitag U.S. patent 5,601,593. Applicant respectfully disagrees and provides an analysis below to overcome the rejection.

At the Examiner's suggestion, applicant copied claims from Freitag, of which claim 21 herein corresponds to Freitag claim 1.

**Patent:**

Freitag, U.S. Patent 5,601,593

**Proposed Count:**

A stent for placement in a body tube, the stent comprising a flexible support structure, the support structure comprising at least two groups of strands meshed together, wherein the at least two groups of strands are of a material having a shape memory, and wherein the shape memory of one group of strands is different from the shape memory of another group of strands.

**Claim of Patent corresponding to proposed count:**

1. A stent for placement in a body tube, the stent comprising a flexible support structure, the support structure comprising at least two groups of wires meshed together, wherein the at least

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